



DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS
WASHINGTON, D.C. 20001-2745

MEMORANDUM

TO: Board of Elections

FROM: Clifford D. Tatum
Executive Director

SUBJECT: Petition Verification Report for Initiative Measure #70, "The Prohibition on Corporate Contributions Initiative of 2012 ("the Initiative")

DATE: August 8, 2012

After executing the Board's standard procedure for verifying the number of registered voter signatures contained in the petition supporting Initiative Measure #70, "The Prohibition on Corporate Contributions Initiative of 2012," the Board's staff has determined that the petition does not meet the statutory numerical requirements necessary to certify the measure to the ballot as set forth in D.C. Official Code §1-1001.16(o)(1). **It is, therefore, my recommendation that the Board reject the petition as numerically insufficient.** An overview of the petition verification process, and a summary of its results, is provided below.

Overview of the Petition Verification Process

The petition verification process is conducted to determine whether a petition to present an initiative measure to the electorate contains the minimum number of registered voter signatures required to place the measure on the ballot. The required minimum is five percent of the duly registered voters within the District of Columbia, and five percent of the duly registered voters in at least five of the District's eight election wards. *See D.C. Code Official Code §1-1001.16(i)* ("The proposer of ... an initiative ... measure shall secure the valid signatures of registered qualified electors upon the initiative or referendum measure equal in number to 5 percent of the registered electors in the District of Columbia: Provided, that the total signatures submitted include 5 percent of the registered electors in each of 5 or more of the 8 wards.") The number of voters used to determine the numerical requirements must accord with the latest published registration totals in effect at least 30 days before the petition was filed. *Id.* For the Initiative, the voter registration statistics as of May 31, 2012, as shown in the table below, are applicable:

WARD	Registered Voters as of May 31, 2012	5% of Registered Voter Total
1	56,981	2,849
2	47,225	2,361
3	59,589	2,979
4	61,551	3,077
5	61,872	3,094
6	67,350	3,367
7	56,271	2,813
8	55,132	2,757
Citywide	465,971	23,297 (23,298)

The petition verification process detailed in our Standard Procedures for Verification of Initiative Petitions has four basic steps:

- First, the Board's staff uses the voter registration system to verify that the circulator of each petition page has a valid D.C. address. Pages not circulated by individuals with a valid D.C. address are rejected at the outset. This determination is based solely on the address that the circulator provides in the affidavit of the circulator.
- Second, the name, and address of each petition signer is checked against the voter registration system to determine if the petitioner was registered to vote at the residence address listed on the petition at the time the petition was signed, as required by law. Only those petition signers whose names and addresses are found to match the Board's registered voter file are entered into the petition checking program as "verified registrants."
- Third, the total number of verified registrants is compiled by the registration system to determine whether the petition contains a sufficient number of registered voters to proceed to the signature verification stage, in which the actual signatures on the petition are examined.
- Fourth, where the total number of verified registrants is determined to have met the minimum signature requirement, a random sample of signatures is drawn for comparison to the original voter signatures on file in the Board's records. The validity rate of the randomly

selected signatures in the sample is then used to make a statistical determination of the sufficiency of the petition as a whole, at the required confidence level of 95 percent.

Summary of Findings

The petition for the initiative filed on July 9, 2012. The petition contained 1,844 pages and 30,359 signatures. After completing the procedures for verifying the voter registration status of petition circulators and signers – steps 1, 2 and 3 in the process outlined above – the total number of registered voters listed in the petition was found to be 21,572, a total of 1,726 below the minimum required signatures of 23,298. Therefore, the petition failed to meet the five percent District-wide requirement.

After completing steps 1-3 of the verification procedure outlined above, the Board determined that the total number of duly registered voters in the District of Columbia whose names and addresses were contained in the petition was found to be sufficient in 4 of the 8 wards. Specifically wards 1, 3, 4 and 6 met the required minimum signature requirement. However, wards 2, 5, 7 and 8 fell short of the required minimum needed to qualify for ballot access. Therefore, the petition failed to meet the five percent requirement from five of the eight wards.

As reflected in the table below, the requirement for Ward 2 fell below the minimum requirement by 338 signatures, Ward 5 fell below the minimum requirement by 351 signatures, Ward 7 fell below the minimum requirement by 1,391 signatures, and Ward 8 fell below the minimum requirement by 1,930 signatures.

WARD	5% of Registered Voters Required	No. of Verified Registrants Found
1	2,849	3,465
2	2,361	2,023
3	2,979	3,724
4	3,077	3,402
5	3,094	2,743
6	3,367	3,966
7	2,813	1,422
8	2,757	827
Citywide	23,297 (23,298)	21,572

The determination that the petition did not contain the required minimum number of duly registered voters dictated that the verification process come to an end at this point, without proceeding to the signature sampling stage.

Based on the foregoing results of the verification of the petition for Initiative Measure #70, we have determined that: (1) the petition submitted in support of the Initiative does not meet the statutory District-wide and ward numerical requirements necessary for the Initiative to be certified to the ballot, and; (2) the Initiative should, therefore be rejected by the Board pursuant to D.C. Official Code §1-1001.16(i).

cc: Kenneth J. McGhie, General Counsel

ATTACHMENT 1: Registrar of Voters Memorandum re: signature requirements (March 12, 2012)

ATTACHMENT 2: Board's Published Voter Registration Statistics (as of May 31, 2012)

ATTACHMENT 3: Verification Printout Insufficient petition signatures by Ward (August 8, 2012)